are regularly assessed by the Engineering and Technology Policy Committees of BHEL. BHEL's inhouse R&D activities at manufacturing units and Corporate R&D have played a significant role in the process of assimilation of imported technology and know-how. Some representations were received in respect of R&D activities in BHEL.

BHEL has recently constituted a Committee of experts with a view to enhancing the overall effectiveness of R&D in BHEL.

Rejection of Civil appeal by Supreme Court of Shri R. N. Goenka

1311. SHRI CHIMANBHAI MEHTA: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that a Civil Appeal No. 906—911 of 1973 filed by Mr. R. N. Goenka of Indian Express Group of Papers has been rejected recently by the Supreme Court of India;

(b) if so, will the Government now move to effect the order of 20-3-1973 wherein the Madras High Court in Writ Appeal No. 554 and 555 of 1971 had confirmed the orders dated the 22nd September, 1971 of Mr. Justice Ramprasad Rao; and

(c) how the Government propose to follow this matter?

THE MINISTER OF STATE IN THE DEPARTMENT OF INDUSTRIAL DEVELOPMENT IN THE MINISTRY OF INDUSTRY (SHRI M. ARUNACHALAM): (a) Yes, Sir.

(b) and (c) The trial relating to the case was completed and judgement pronounced by the Trial Court on 14-5-79. Against this judgement, an appeal was filed in the court of Sessions Judge and against the decision of the Sessions Judge, revision petitions have been filed in the Madras High Court and the same are pending before the Hon'ble Madras High Court.

1312. [*Transferred to the 11th March*, 1987.]

Judgement in Karnataka High Court

1313. SHRI RAM AWADHESH SINGH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether in a recent case Supreme Court has expressed surprise over a seven years delay in rendering justice in a Karnataka Court as reported in 'Times of India' on the 25th January, 1987;

(b) how many cases are pending as on 1st January, 1987 in Supreme Court, various High Courts for over seven years and for over three years and for over ten years;

(c) whether any solution is in sight to these delays; and

(d) whether Government propose to reduce number of holidays and closed days till public gets some relief from delays in courts?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) The Government have seen the press report.

(b) Information as furnished by the Registries of Supreme Court and High Courts is given in the attached statement-I (*See* below)

(c) Steps taken to reduce pendency in Supreme Court and High Courts are given in the attached statement-II. (*See* below)

(d) The Chief Justice of India has informed that the Supreme Court has increased the number of working days by 2, making it a total 222 working days in a calendar year, including Saturdays. The Chief Justice of High Courts have also been requested to review the number of working days in the light of decision taken by the Supreme Court.

Statement-I

Judgement in Karnataka High Court

Pendency of Cases in Supreme Court as on 1-1-87

Number of Regular hearing matters	Number of Admission and Miscellaneous matters	Total	Number of Regular hearing matters pending for		
			Over three years	Over seven years	Over ten years
39871	113098	152969	19322	8144	2187

Pendency of Cases in various High Courts as on 30-6-1986

	High Court	Total Cases	Over three years to seven years	Over seven years to ten years	Over ten years
1	Allahabad	288060	116531	26511	11235
2	Andhra Pradesh	89570	25537	521	31
3	Bombay	117394	41808	11239	4960
4	Calcutta*	148330	51909	12512	12415
5	Delhi	73415	22551	5096	3391
6	Gauhati*	16285	4335	1202	182
7	Gujarat*	41750	13651	1761	71
8	Himachal Pradesh*	10933	3245	1340	155
9	Jammu and Kashmir	33952	9160	2021	359
10	Karnataka*	87608	34028	2365	47
11	Kerala	120890	40626	245	1
12	Madhya Pradesh*	52079	7628	1951	1084
13	Madras*	158518	39754	2316	20
14	Orissa*	31362	7966	1057	194
15	Patna*	56904	13771	2873	1584
16	Punjab and Haryana	45598	13627	3409	75
17	Rajasthan*	48921	15944	3370	726
18	Sikkim	56	..	..	..
	TOTAL	1421625	462071	79889	36441

*Figures for these High Courts are as on 31-12-1985.

Statement-II

Judgement in Karnataka High Court

Steps taken from time to time to reduce pendency.

The following steps have been taken in recent years to reduce pendency in the Supreme Court and High Courts.

1. Elimination of arrears in all the Courts has been discussed in Conference of Chief Justices, Chief Ministers and Law Ministers of States held on 31st August—1st September 1985 and the Resolutions of the Conference have been commended to the High Courts and State Governments.

2. The Code of Civil Procedure was amended in 1976 to abolish Letters Patent Appeals from judgement of Single Judge of the High Court in Second Appeal (vide Section 100-A).

3. The Code of Criminal Procedure based on the recommendations of the Law Commission was enacted in 1973.

4. The Judge strength of the Supreme Court has been raised from 17 to 25 (excluding the Chief Justice), with effect from 10-5-1986 by amending the Supreme Court (Number of Judges) Act, 1956.

5. The sanctioned strength of the High Court Judges has been increased from 351 in March 1977 to 441 on 1-3-1987.

6. The Supreme Court has also taken the following measures:

(i) Priority is given to certain matters;

(ii) Miscellaneous matters are fixed daily;

(iii) Writ Petitions with identical questions are grouped together and batches running from 50 to 100 matters are listed together for hearing;

(iv) Other matters involving identical questions are also identified from time to time and put together, and efforts are made to see that such groups are disposed of early;

(v) The Supreme Court Rules were revised in 1966 providing for printing of records under its own supervision. As that was also taking quite sometime, the Court, of late, has started wherever possible, dispensing with the preparation of records, and hearing the appeals on Special Leave Paper-Book itself, after the parties have filed their counter-affidavits and affidavits in reply;

(vi) To save the Court's time, the Honourable Chief Justice of India is taking mentioning after Court's hours, which were previously taking at least about one hour;

(vii) In Criminal Appeals, Counsel for the Appellant is required to file cyclostyled records to save time in getting it printed, so that the matters could be heard early;

(viii) The Supreme Court Rules have been amended empowering the Hon'ble Judge in Chambers and the Registrar to dispose of certain types of matters; which were previously being listed in the court. This has been done to save the court's time;

(ix) Specialized benches are constituted to list particular type of matters relating to that branch of law, in which the Hon'ble Judge constituting the Specialized Bench are experts. This enables the Specialized Bench to dispose of such matter expeditiously;

(x) The Hon'ble Chief Justice of India has recently directed that the Counsel in each matter must file written arguments, if the arguments are to take more than five hours in each side. The oral arguments on each side are now restricted to five hours, unless the Court feels that more time is to be given to the Counsel, in which case a maximum of ten hours are given for oral arguments to each side. The length of oral arguments by counsel of both the sides have thus been curtailed, which results in the quick disposal of matters.

7. Apart from the above, certain High Courts are taking the following steps for ensuring better disposal of cases:

(a) Cases involving common questions are being grouped by several High Courts;

(b) Matters fixed for hearing by giving short returnable dates;

(c) Dispensing with printing of records;

(d) Expediting and giving priority to matters under certain Acts;

8. The recommendations contained in the 79th Report of the Law Commission have been examined. As action on majority of the recommendations is to be taken by the State Governments and the High Courts these have been sent to them along with the views of the Union Government, and they have been requested to take necessary action.

9. The Government have entrusted to the Law Commission, the study of the Judicial system to introduce necessary reforms. The terms of reference are:

(a) the need for decentralisation of the system of administration of justice by:—

(i) establishing, extending and strengthening in rural areas the institution of Nyaya Panchayats or other mechanisms for resolving disputes;

(ii) setting up of system for participatory justice with defined jurisdiction and powers in suitable areas and centres;

(iii) establishing other tiers or systems within the judicial hierarchy to reduce the volume of work in the Supreme Court and the High Courts.

(b) the matters for which Tribunals (excluding Services Tribunals) as envisaged in Part XIV-A of the Constitution need to be established expeditiously and various aspects related to their establishment and working.

(c) the procedural laws with a view generally to disposing of cases expeditiously, eleminating unnecessary litigation, delays in hearing of cases and reforms in procedures and procedural laws and particularly to devising procedures appropriate to the forum envisaged in items (a) (i) and (a), (ii).

(d) the method of appointments to Subordinate Courts|Subordinate judiciary.

(e) the training of judicial Officers.

(f) the role of the legal professions in strengthening the system of administration of justice.

(g) the desirability of formulation of the norms, which the Government and the Public Sector Undertakings should follow in the settlement of disputes including a review of the present system for conduct of litigation on behalf of the Government and such Undertakings.

(h) the cost of litigation with a view to lessening the burden on the litigants.

(i) formation of an All India judicial service and

(j) such other matters as the Commission considers proper or necessary for the purposes aforesaid or as may be referred to it from time to time by the Government.

Public Sector Units

1313. SHRI DEBENDRA NATH BARMAN:

DR. R. K. PODDAR:

Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the problem of surplus staff in Public Sector Units arises out of bilateral assistance arrangements with significant say by the other country to buy the machinery thus de-